

**AMESBURY POLICE DEPARTMENT**  
**19 School Street**  
**Amesbury, MA 01913**  
**978-388-1212 Fax 978-388-1220**

**----ATTENTION TEEN DRIVERS----**  
**USING A CELL PHONE WHILE DRIVING IS DANGEROUS**

**Violations carry hefty fines, insurance surcharges and loss of license.**

**1. Ch 90/8M- Use of a Mobile Phone or Mobile Electronic Device by a Junior Operator**

**Civil Offense- No Surcharge** (Mobile electronic device includes mobile telephone, text messaging device, paging device, PDA, laptop computer, electronic equipment capable of playing video games or video disks or can take/transmit digital photographs or can receive a television broadcast. Mobile electronic device does not include any equipment permanently or temporarily installed to provide navigation, emergency assistance or rear seat video entertainment. Reporting an emergency is the only exception. Drivers are encouraged to pull over and stop the vehicle to report the emergency.)

- 1st offense-\$100, 60 day license suspension & attitudinal course
- 2nd offense-\$250, 180 day suspension
- 3rd or subs offense-\$500, 1 year suspension

**CH 90/13 Improper Use of a Mobile Phone by Operators 18 and Over**

**Civil Offense-No insurance surcharge** ( Includes improper use of a mobile telephone by operators 18 and over. One hand must be on the steering wheel at all times and no use of device can interfere with driving)

- 4.
- 1st offense-\$35 assessment
  - 2nd offense in 12 months-\$75 assessment
  - 3rd offense in 12 months-\$150 assessment

**Sending/Reading Text Messages**

**Civil Offense-No insurance surcharge** (Operators cannot use any mobile telephone or handheld device capable of accessing the Internet to write, send, **or read** an electronic message including text messages, emails, and instant messages or to access the Internet while operating a vehicle. Law applies even if the vehicle is stopped in traffic.)

- 1st offense-\$100
- 5.
- 2nd offense-\$250
  - 3rd or subs offense-\$500

**Negligent Operation & Injury from Mobile Phone Use  
Criminal Offense- Insurance surcharge**

**JOL Suspensions**

- 1st offense-180-day suspension
- 6. • 2nd or subsequent offense within 3 years-1 year suspension
- \$500 reinstatement fee

**Over-18 suspensions**

- 1st offense-60-day suspension
- 2nd or subsequent offense within 3 years-1 year suspension
- \$500 reinstatement fee

**Additional Suspensions**

The law repeals the current suspension for 5-surchageable incidents in a 3-year period and replaces it with a new suspension for 3-surchageable incidents in 2 years. Violations with an incident date on or after 9/30/2010 can be factored into the new suspension calculation. However, older violations will still be considered a basis for operators that accrue 7-surchageable incidents. Similar to the current suspension process for 5-surchageable incidents, operators will have 90 days from the suspension notice to complete a National Safety Council course to avoid going into suspension.

**EXAMPLE:** An operator receives a citation on October 1, 2010 and is cited for 3 offenses on the ticket: speeding, failure to yield, and a marked lane violation. Under the new law, this driver will receive a notice that they must complete the NSC course in 90 days or have his/her license suspended until completion of the class.

**CELL PHONES, TEXTING & DRIVING ARE DISTRACTING & DANGEROUS**

**Take a few moments to pull over and stop before using a cell phone.**

**For Questions about the new Safe Driving Law,  
Please contact Sgt. Glenn Chaput at the Amesbury Police Department  
978-388-1217  
[glenn@amesburyma.gov](mailto:glenn@amesburyma.gov)**

**updated October 2010**